

DRAFT

Article ## Zoning

Underline Text = Proposed new language

~~Strikethrough text~~ = Proposed language to be deleted

To see if the Town will vote to amend the Eastham Zoning Bylaw, **SECTION 4.7** by amending the following language:

- 4.7 Conversion of an existing (or proposed) cottage colony, motel, hotel or inn to a single-family, ~~or two-family,~~ multi-family or seasonal workforce housing use ~~under any type of ownership including, but not limited to, condominium ownership, cooperative ownership, or other forms of ownership where a structure or portion thereof is held in different ownership from the remainder of the structure or the land on which it is situated are not is~~ permitted subject to the following: ~~unless the owner of any such property prior to the creation of or conversion to any single family or two family or ,multi family or seasonal workforce use under the aforementioned types of ownership does the following:~~
1. Obtains a ~~special permit~~ approval from the ~~Board of Appeals of the Town of Eastham Planning Board~~ in compliance with applicable sections of section 49.2 3.8 District I – Eastham Corridor Special District or Section 10.2 Site Plan Approval Commercial ~~or of this By law of the Town of Eastham Zoning Bylaw~~ and Massachusetts General Laws Chapter 40A, or any amendments thereto, and
 2. Obtains a finding and certification from the Eastham Board of Health that the septic system and the water supply system for said premises complies with Eastham’s current health code requirements and/or as set forth in Title V of the Massachusetts Sanitary Code or any amendments thereto as it relates to new construction, and
 3. Executes a covenant with the Town of Eastham, in a form acceptable to Town of Eastham to be recorded at the Barnstable County Registry of Deeds, covenanting and guaranteeing that ~~other than one management unit, no units will be occupied or otherwise used during any time period commencing December 1 and ending March 31 of the following calendar year and for that same time period for each year thereafter.~~ those units converted to single-family, two-family or multi-family use shall be rented and/or leased for a period of not less than twelve (12) consecutive months or that the units shall be owner occupied. Units converted to seasonal workforce housing use shall be rented and/or leased for a period of not less than four (4) consecutive months.

- ~~Hotels and motels may not be converted into single family use under condominium type or any other type of trust or stock ownership arrangement.~~
- Mixed use conversions consisting of year-round and seasonal workforce uses are not permitted under this bylaw.

or take any action relative thereto.

By Eastham Planning Board

Summary:

This proposed amendment will permit conversion of motels, hotels, inns and cottage colonies to residential use by-right, remove existing requirements for Special Permit. Appropriate site plan review will be maintained by defaulting the proposed conversion to applicable review thresholds for the zoning district in which the site is located. In most cases this would be a site plan special permit but this review is focused on ensuring appropriate site planning and not on justification of the use which will reduce the regulatory burden to the applicant. The amendment will also help diversify housing stock by allowing opportunities to create multi-family units and opportunities for new year round rentals/ownership opportunities and options to accommodate seasonal workers.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

PLANNING BOARD RECOMMENDATION:

(Majority vote required)